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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No.3393 of 2007

Petitioners

1. Smt. Annapurna Shabla W/o. Mahendra Kumar Shabla Aged about - 41 years, Assistant Teacher Govt. Primary School Nandiya Bolck - Dongargaon, Distt.- Rajnandgaon (C.G.)
2. Smt. Munni Bai Shendre W/o. Santosh Kumar shendre Aged about - 45 years, Assistant Teacher govt. Primary School Aaree Block dongargaon, Distt. Rajnandgaon (C.G.)
3. Ramesh Kumar Meshram S/o. Shri Sukhu Ram Aged about - 49 years Assistant Teacher Govt. Primary School, Nandiya, Block - dongargaon,Distt.- Rajnandgaon (C.G.)
4. Likhan Lal Nayak S/o Jai Lal Nayak Aged about - 52 years Assistant Teacher Govt. Primary School, Nandiya, Block - dongargaon, Distt.- Rajnandgaon (C.G.)
5. Krishna Kumar Dewangan S/o. Siya Ram Aged about - 45 years Assistant Teacher Govt. Primary School, Barhbhoom, Block - Dongargaon, Distt. - Rajnandgaon (C.G.)
6. Sohan Lal Dewangan S/o. Banjur Ram Aged about - 50 years Assistant Teacher, Govt. Jamsarar Kala, Block - dongargaon, Distt. - Rajnandgaon (C.G.)
7. Smt. Devkee Sahu W/o. devesh Sahu Aged about - 40 years Assistant Teacher govt. Middle School, Aaree Block - dongargaon, Distt.- Rajnandgaon (C.G.)
8. Harendra Kumar Sahu S/o. Mahatma Ram Sahu Aged about - 44 years Assistant Teacher Govt. Primary School Sonsarar, Block - dongargaon, Distt. - Rajnandgaon (C.G.)
9. Jagendra Singh varma S/o. Devnath singh Varma Aged about - 44 yearsAssistant Teacher Govt. Primary School, Makranpur, Block & Distt. - Rajnandgaon, (C.G.0

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10. Shyam Lal Sinha, S/o Shobharam Sinha Azged about - 41 years, Assistant Teacher govt. Primary School Mohanbhatha, Block Dongargaon, Distt.- Rajnandgaon (C.G.)

11. Maya Ram Sonkar S/o R.R. sonkar aged about - 41 years Assistant Teacher Govt. Primary School sonesarar, Block dongargaon, Distt.- Rajnandgaon (C.G.)

12. Kunwar singh Sahu S/o. guhi Ram Sahu Aged about 50 years Assistant Teacher govt. Primary School Bhakhari, Block dongargaon, Distt.- Rajnandgaon (C.G.)

13. Ganesh Ram Sahu S/o. Shri Kejaram Sahu Aged about - 45 years Assistant Teacher Govt. Primary School Bothipar Khurd, Post -Singhala, Block & Tahsil - Rajnandgaon (C.G.)

Versus

Respondents

1. State of Chhattisgarh Through Secretary, School Education Department Ministry, d.K.S. Bhawan, Raipur (C.G.)

2. District Education Officer, Collectorate, Rajnandgaon Distt. - Rajnandgaon (C.G.)

(Writ Petition under Article 226 of the Constitution of India)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Shri Ravi Maheshwari, counsel for the petitioners.
Shri Arvind Dube, Panel Lawyer for the State/ respondents.

ORDER
(Passed on 20th June, 2007)

1. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs.**

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Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** **vs.** ***The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** **vs.** ***The State Govt. of Chhattisgarh and another***) (Supra).

3. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioners have acquired B.T.I/D.Ed./B.Ed Examination Certificate on their own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether they have been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

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